

ESTTA Tracking number: **ESTTA541943**

Filing date: **06/05/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	TASER International
Granted to Date of previous extension	06/05/2013
Address	Legal Department, 17800 N. 85th Street Scottsdale, AZ 85255 UNITED STATES
Correspondence information	TASER International Legal Department, 17800 N. 85th Street Scottsdale, AZ 85255 UNITED STATES Docketer@system.foundationip.com, sjohnson@ifllaw.com, scastillo@ifllaw.com, docketing@ifllaw.com Phone:(480) 385-5060

### Applicant Information

Application No	85417690	Publication date	02/05/2013
Opposition Filing Date	06/05/2013	Opposition Period Ends	06/05/2013
Applicant	AGGRESSIVE COMBATIVES LIMITED Suite 513, Concordia Plaza 1 Science Museum Road Kowloon, HONG KONG		

### Goods/Services Affected by Opposition

Class 025. First Use: 2011/09/08 First Use In Commerce: 2011/09/08 All goods and services in the class are opposed, namely: Martial arts uniform, namely, martial arts karate gis, martial arts kimonos, martial arts rashguards, martial arts t-shirts, martial arts shorts, martial arts jacket and martial arts pants
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### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4210384	Application Date	08/26/2009
Registration Date	09/18/2012	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.
Goods/Services	Class 025. First use: First Use: 2009/01/09 First Use In Commerce: 2009/01/09 shirts and caps

U.S. Registration No.	4045909	Application Date	08/26/2009
Registration Date	10/25/2011	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.		
Goods/Services	Class 041. First use: First Use: 2009/08/24 First Use In Commerce: 2009/08/24 Educational services, namely, conducting classes, workshops, seminars, and practice sessions in the fields of electronic weapons, use of electronic weapons, maintenance of electronic weapons, evidence collection, evidence management, evidence analysis, certification for electronic weapon use, medical and psychological issues related to electronic weapon use, personal safety, self defense, decision making in the deployment of force, electronic weapon use in a correctional environment, risk management, and legal issues related to electronic weapons, and instructor preparation		

U.S. Registration No.	4125860	Application Date	08/26/2009
Registration Date	04/10/2012	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.		
Goods/Services	Class 026. First use: First Use: 2010/05/25 First Use In Commerce: 2010/05/25 belt buckles having compartments for holding electronic equipment		

U.S. Registration No.	4045908	Application Date	08/26/2009
Registration Date	10/25/2011	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.		
Goods/Services	Class 018. First use: First Use: 2009/11/06 First Use In Commerce: 2009/12/02 police duty bags, namely, general purpose bags for carrying law enforcement equipment		

U.S. Registration No.	4071059	Application Date	08/26/2009
Registration Date	12/13/2011	Foreign Priority Date	NONE

Word Mark	NONE
Design Mark	
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.
Goods/Services	Class 028. First use: First Use: 2009/06/09 First Use In Commerce: 2009/06/09 golf balls, golf tees

U.S. Registration No.	3859033	Application Date	08/19/2009
Registration Date	10/12/2010	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.		
Goods/Services	Class 014. First use: First Use: 2008/11/08 First Use In Commerce: 2008/11/08 commemorative coins		

U.S. Registration No.	3770934	Application Date	08/19/2009
Registration Date	04/06/2010	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.		
Goods/Services	Class 016. First use: First Use: 2009/07/27 First Use In Commerce: 2009/07/27 pens		

U.S. Application No.	77980860	Application Date	03/10/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of the design of a circle intersected diagonally through the middle by a lightning bolt that divides the circle into two half circles.		
Goods/Services	Class 035. First use: Records management services, namely, collecting records of use of mobile phones for others		

U.S. Registration No.	4210350	Application Date	03/09/2009
Registration Date	09/18/2012	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.		

Goods/Services	Class 042. First use: First Use: 2011/03/18 First Use In Commerce: 2011/03/18 Computer services, namely, creating and maintaining web sites that allow streaming selected video, audio, and photographic data for others Class 045. First use: First Use: 2011/03/18 First Use In Commerce: 2011/03/18 Providing an on-line computer database in the field of law enforcement, professional security services, self-defense, and prisons
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U.S. Registration No.	4042574	Application Date	08/26/2009
Registration Date	10/18/2011	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.		
Goods/Services	Class 009. First use: First Use: 2010/02/04 First Use In Commerce: 2010/02/04 docking stations for retrieving data from a digital data recorder for transfer, and docking stations for recharging the batteries of a digital data recorder		

U.S. Application No.	77686926	Application Date	03/09/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.		
Goods/Services	Class 009. First use: Surveillance systems comprised of video cameras for detecting intruders; home security systems comprised of electronic sensors for detecting intruders; computer software for surveillance systems; apparatus for recording video comprised of cameras and digital video recorders; surveillance systems comprised of video cameras and weaponry, namely, electronic control devices used as weapons; battery chargers; prerecorded computer readable media, namely, DVDs featuring use and simulated use of electronic control devices used as weapons; recorded media featuring video, audio, and photographic evidence of incidents, actions, and communications in the fields of personal security, law enforcement, self-defense, and medicine; antennas; dish antennas; antennas for vehicles; eyeglasses; sunglasses; eyeglass frames; eyeglass cases; eyewear accessories, namely, head straps, cords, and side guards for eyeglasses; wrist supports for computer data entry; pointing devices for computer data entry; devices for hands free use of cell phones; protective clothing; safety products, namely, reflective arm bands and reflective helmet skirts; emergency flares; jump start cables; chin straps for helmets; sensors for determining temperature; thermo-sensitive temperature indicator strips; carrying cases for consumer electronics in the nature of personal computers, cell phones, media players, and video recorders; carrying cases for CDs; carrying cases for DVDs; jackets for CDs; jackets for DVDs; computer software for ring-tones; computer application software for cell phones; video game cartridges and discs; computer software for application and database integration; motion picture films about less-lethal electronic weaponry used in the fields of law enforcement, professional security, medicine, and consumer security; motion picture films that include evidence of incidents in the fields of law enforcement, professional security, medicine, and consumer security; downloadable motion		

	pictures and television shows about less-lethal electronic weaponry used in the fields of law enforcement, professional security, and consumer security; body-worn video cameras; head-mounted video cameras; body-worn video and audio recorders; accessories for body-worn video and audio recorders, namely, battery packs, specialty holsters for wearing video and audio recorders and battery packs, and enclosures enclosing circuitry that provides a user interface for controlling a video and audio recorder; software for video games
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U.S. Application No.	77808524	Application Date	08/19/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of an image of a stylized lightning bolt within a circle.		
Goods/Services	Class 013. First use: electronic weapons that deliver an electrical current through muscle of a human or animal subject to cause pain and/or to interfere with operation of the muscles of the subject; electronic weapons that launch tethered probes to deliver an electrical current through muscle of a human or animal subject to cause pain and/or to interfere with operation of the muscles of the subject; weapons that launch a projectile that carries an electrical circuit to deliver an electrical current through muscle of a human or animal subject to cause pain and/or to interfere with operation of the muscles of the subject; cartridges, magazines, projectiles for use with any of the aforementioned weapons; electronic modules for installation as a component part on or in any of the aforementioned weapons, namely, modules including battery or data storage for operation of the weapons or recording operation of the weapons; and holsters for carrying any of the aforementioned weapons		

Attachments	Notice of Opposition.pdf(2633773 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/Sean D. Johnson/
Name	TASER International
Date	06/05/2013

1           Ingrassia Fisher & Lorenz P.C.

2           7010 E. COCHISE ROAD  
3           SCOTTSDALE, AZ 85253  
4           TELEPHONE: (480) 385-5060  
5           FACSIMILE: (480) 385-5061

6           *Attorneys for Opposer*

7           Sean D. Johnson

8                   IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
9                   BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

10           TASER International, Inc.,

11                   Opposer,

12           v.

13           Aggressive Combatives Limited  
14           Corporation,

15                   Applicant

Opposition No. \_\_\_\_\_

(U.S. Trademark Application Serial  
Nos. Registration No. 85/417,690)

**NOTICE OF OPPOSITION**

16  
17           Opposer, TASER International, Inc., a Delaware corporation located and doing  
18           business at 17800 North 85th Street Scottsdale ARIZONA 85255, believes that it would  
19           be damaged by registration of the mark shown in U.S. Trademark Application Serial No.  
20           85/417,690, which was published on the Office Gazette on February 5, 2013, and hereby  
21           opposes same.  
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1 As grounds for the Opposition, Opposer alleges that:

2 1. On or about September 8, 2011, Applicant filed a use-based Application  
3 (Serial No. 85/417,690), covering “martial arts uniform, namely martial arts karate gis,  
4 martial arts kimonos, martial arts rashguards, martial arts t-shirts, martial arts shorts,  
5 martial arts jacket and martial arts pants” in International Class 25 for the following mark  
6 (the “Proposed Mark”):  
7



14  
15 2. Opposer will be damaged by the registration of the Proposed Mark.

16 3. Opposer is the owner of numerous United States Trademark Applications and  
17 Registrations for (among other marks) Opposer’s Bolt Within Circle Mark set forth below:



23 including the following United States Trademark Registrations and Applications:

- 24  
25  
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- U.S. Trademark Registration No. 4,210,384, registered on September 18, 2012, based on U.S. Trademark Application Serial No. 77/813,122 filed on August 26, 2009, covering “shirts and caps” in International Class 25.

- 1 • U.S. Trademark Registration No. 4,045,909, registered on October 25, 2011, based  
2 on U.S. Trademark Application Serial No. 77/813,141 filed on August 26, 2009,  
3 covering “educational services, namely, conducting classes, workshops, seminars,  
4 and practice sessions in the fields of electronic weapons, use of electronic weapons,  
5 maintenance of electronic weapons, evidence collection, evidence management,  
6 evidence analysis, certification for electronic weapon use, medical and  
7 psychological issues related to electronic weapon use, personal safety, self defense,  
8 decision making in the deployment of force, electronic weapon use in a correctional  
9 environment, risk management, and legal issues related to electronic weapons, and  
10 instructor preparation” in International Class 41.
- 11 • U.S. Trademark Registration No. 4,125,860, registered on April 10, 2012, based on  
12 U.S. Trademark Application Serial No. 77/813,126 filed on August 26, 2009,  
13 covering “belt buckles having compartments for holding electronic equipment” in  
14 International Class 26.
- 15 • U.S. Trademark Registration No. 4,045,908, registered on October 25, 2011, based  
16 on U.S. Trademark Application Serial No. 77/813,113 filed on August 26, 2009,  
17 covering “police duty bags, namely, general purpose bags for carrying law  
18 enforcement equipment” in International Class 18.
- 19 • U.S. Trademark Registration No. 4,071,059, registered on December 13, 2011,  
20 based on U.S. Trademark Application Serial No. 77/813,136 filed on August 26,  
21 2009, covering “golf balls, golf tees” in International Class 28.
- 22 • U.S. Trademark Registration No. 3,859,033, registered on October 12, 2010, based  
23 on U.S. Trademark Application Serial No. 77/808,557 filed on August 26, 2009,  
24 covering “commemorative coins” in International Class 14.
- 25 • U.S. Trademark Registration No. 3,770,934, registered on April 6, 2012, based on  
26 U.S. Trademark Application Serial No. 77/808,586 filed on August 19, 2009,  
covering “pens” in International Class 16.
- U.S. Trademark Application Serial No. 77/980,860, filed on March 10, 2009,  
covering “records management services, namely, collecting records of use of mobile  
phones for others” in International Class 35.
- U.S. Trademark Registration No. 4,210,350, registered on September 18, 2012,  
based on U.S. Trademark Application Serial No. 77/686,925 filed on March 9, 2009,  
covering “computer services, namely, creating and maintaining web sites that allow  
streaming selected video, audio, and photographic data for others” in International  
Class 42, and “providing an on-lone computer database in the field of law  
enforcement, professional security services, self-defense, and prisons” in  
International Class 45.



- U.S. Trademark Registration No. 4,042,574, registered on October 18, 2011, based on U.S. U.S. Trademark Application Serial No. 77/813,156 filed on August 26, 2009, covering “docking stations for retrieving data from a digital data recorder for transfer, and docking stations for recharging the batteries of a digital data recorder” in International Class 9.
- U.S. Trademark Application Serial No. 77/686,926, filed on March 9, 2009, covering “surveillance systems comprised of video cameras for detecting intruders; home security systems comprised of electronic sensors for detecting intruders; computer software for surveillance systems; apparatus for recording video comprised of cameras and digital video recorders; surveillance systems comprised of video cameras and weaponry, namely, electronic control devices used as weapons; battery chargers; prerecorded computer readable media, namely, DVDs featuring use and simulated use of electronic control devices used as weapons; recorded media featuring video, audio, and photographic evidence of incidents, actions, and communications in the fields of personal security, law enforcement, self-defense, and medicine; antennas; dish antennas; antennas for vehicles; eyeglasses; sunglasses; eyeglass frames; eyeglass cases; eyewear accessories, namely, neck straps, head straps, cords, and side guards for eyeglasses; computer screen saver software; mouse pads; wrist supports for computer data entry; pointing devices for computer data entry; devices for hands free use of cell phones; protective clothing; safety products, namely, reflective arm bands and reflective helmet skirts; emergency flares; jump start cables; chin straps for helmets; sensors for determining temperature; thermo-sensitive temperature indicator strips; bags for photographic equipment; carrying cases for consumer electronics in the nature of personal computers, cell phones, media players, and video recorders; carrying cases for CDs; carrying cases for DVDs; jackets for CDs; jackets for DVDs; computer software for ring-tones; computer application software for cell phones; video game cartridges and discs; computer software for application and database integration; motion picture films about less-lethal electronic weaponry used in the fields of law enforcement, professional security, medicine, and consumer security; motion picture films that include evidence of incidents in the fields of law enforcement, professional security, medicine, and consumer security; downloadable motion pictures and television shows about less-lethal electronic weaponry used in the fields of law enforcement, professional security, and consumer security; body-worn video cameras; head-mounted video cameras; body-worn video and audio recorders; accessories for body-worn video and audio recorders, namely, battery packs, specialty holsters for wearing video and audio recorders and battery packs, and enclosures enclosing circuitry that provides a user interface for controlling a video and audio recorder; software for video games” in International Class 9.

- U.S. Trademark Application Serial No. 77/808,524, filed on August 19, 2009, covering “electronic weapons that deliver an electrical current through muscle of a human or animal subject to cause pain and/or to interfere with operation of the muscles of the subject; electronic weapons that launch tethered probes to deliver an electrical current through muscle of a human or animal subject to cause pain and/or to interfere with operation of the muscles of the subject; weapons that launch a projectile that carries an electrical circuit to deliver an electrical current through muscle of a human or animal subject to cause pain and/or to interfere with operation of the muscles of the subject; cartridges, magazines, projectiles for use with any of the aforementioned weapons; electronic modules for installation as a component part on or in any of the aforementioned weapons, namely, modules including battery or data storage for operation of the weapons or recording operation of the weapons; and holsters for carrying any of the aforementioned weapons, cartridges, and modules” in International Class 9.

4. Opposer’s Bolt Within Circle Mark is in use in interstate commerce in connection with a number of goods and services, including shirts, hats, belt buckles, and other clothing, weaponry, conducting classes, workshops, seminars, and practice sessions in the fields of personal safety and self defense, police duty bags that could be used for carrying various types of self-defense clothing and accessories, and various other goods and services, including those listed in the various above-referenced United States Trademark Registrations and Applications, has been the subject of significant marketing efforts, and has become well known and famous as a source identifier for Opposer’s goods and services.

5. Opposer’s Bolt Within Circle Mark and the Proposed Mark are very similar, for example in sight and meaning. The goods described in Applicant’s application are closely related to various of the products and services offered by Opposer under Opposer’s Bolt Within Circle Mark. Accordingly, consumer confusion is likely to result.

6. In addition, registration of the Proposed Mark would also cause dilution of Opposer’s Bolt Within Circle Mark, which became famous prior to the filing of Applicant’s

1 application.

2 7. Opposer' Bolt within Circle Mark has priority because Opposer filed the above-  
3 referenced applications of Opposer for the Bolt Within Circle Mark before any priority date that  
4 Applicant can claim relating to the Proposed Mark. Opposer also has priority via use of  
5 Opposer's Bolt Within Circle Mark in interstate commerce prior to any date that Applicant can  
6 claim relating to the Proposed Mark, as well as through Opposer's use of related marks (e.g., a  
7 lightning bolt extending on or through a circle, a sphere, and/or hemisphere) in interstate  
8 commerce prior to any date that Applicant can claim relating to the Proposed Mark.

9  
10 8. Wherefore, Opposer requests that the Board sustain this Opposition and refuse  
11 registration of the Proposed Mark in Application Serial No. 85/417,690.

12  
13 RESPECTFULLY SUBMITTED this 5<sup>th</sup> day of June, 2013.

14  
15 INGRASSIA FISHER & LORENZ, P.C.  
16 7010 E. Cochise Road  
17 Scottsdale, AZ 85251

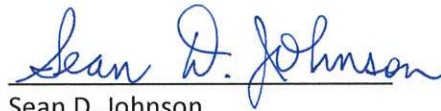
18 By Sean D. Johnson  
19 Sean D. Johnson

20 *Attorneys for Opposer*  
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CERTIFICATE OF SERVICE

I certify that on June 5, 2013, I served a copy of the attached Notice of Opposition by causing a true copy thereof to be delivered by UPS overnight delivery in an envelope addressed as follows:

Clement Cheng, Esq.  
Attorney for Aggressive Combatives Limited Corporation Hong Kong  
Newhope Law, PC  
17220 Newhope Street #127  
Fountain Valley, California 92708



Sean D. Johnson  
Ingrassia Fisher & Lorenz, P.C.